

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

IN THE MATTER OF COMPLAINT AND
ARREST WARRANT OF MARIO COLE

Case No. 3:24-mj-603-ASH

**AFFIDAVIT IN SUPPORT OF
COMPLAINT AND ARREST WARRANT**

I, Brent Young, being duly sworn and deposed, state the following:

1. I make this affidavit in support of an application for an arrest warrant of Mario Cole. Based on my training and experience, I believe Cole possessed ammunition as a convicted felon in Meridian, MS on or about March 17, 2024, in violation of, Title 18 United States Code, Section 922(g)(1). I am a special agent with Homeland Security Investigations (HSI) and have been employed by HSI for approximately fifteen years. Prior to my employment with HSI, I was employed as an agent with the Mississippi Bureau of Narcotics for over 4 years.
2. Over the course of my employment as a law enforcement officer, I have conducted and participated in numerous criminal investigations, which have resulted in arrests for crimes involving controlled substance violations, firearms violations, financial violations, and violations of the Immigration and Nationality Act. Many of these crimes resulted in subsequent convictions in State and Federal Courts.
3. I am currently assigned to the HSI Office of the Assistant Special Agent in Charge located in Pearl, Mississippi and have been so assigned since November 2019. During my law enforcement career, I have participated in investigations relating to interstate commerce.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement officers and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint.

SUMMARY OF PROBABLE CAUSE

5. On March 17, 2024, at approximately 12:06 p.m., Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Task Force Officer David Creel received a call, from the Meridian Police Department (MPD), regarding Mario Cole being arrested for outstanding warrants for domestic violence and was found in possession of twenty-five rounds of ammunition on his person. Cole is a previously convicted felon and is currently on bond through the United States Court, Southern District of Mississippi, in case 3:23-cr-00118-HTW-ASH.

STATEMENT OF PROBABLE CAUSE

6. On March 17, 2024, at approximately 11:54 a.m., Meridian Police Department (MPD) Cpl. Zachary Joiner responded to a shoplifting call at the Dollar General located at 4305 8th St. in the City of Meridian, County of Lauderdale, State of Mississippi. Cpl. Joiner learned that a black male, wearing all black, entered the store, stole multiple items, and then left walking toward Frank Berry Court apartments. Cpl. Joiner left the Dollar General and drove toward the apartments.
7. Cpl. Joiner saw a black male, wearing all black, holding a yellow and black umbrella, walking away from the Dollar General area toward Frank Berry apartments. Cpl. Joiner talked with the male, who had a mask on, and Cpl. Joiner recognized him as Mario Cole. Cole stated that he did not come from the Dollar General and Cpl. Joiner drove off. After driving off, Cpl. Joiner remembered that Cole was wanted recently for questioning in an

unsolved murder. Cpl. Joiner checked with dispatch to see if Cole had any outstanding warrants. Dispatch confirmed that Cole had multiple warrants outstanding.

8. Cpl. Joiner turned around and contacted Cole again. Cpl. Joiner started to do a pat search of Cole for weapons. Cole jerked away from Cpl. Joiner and was placed into custody. Once at the Meridian Police Department, he was thoroughly searched and a box of PMC Bronze 9mm ammunition was found in his right front pocket. Cpl. Joiner asked Cole where the firearm was. Cole stated that he didn't have one and he found the ammunition. Cole also stated that he trying to sell it for a few dollars.
9. At approximately 3:18 p.m., MPD Det. Ricky Robinson interviewed Cole at the Police Department. Det. Robinson advised Cole of his Miranda Rights, which COLE stated that he understood and waived. During the interview, Cole admitted to having the ammunition and that he was going to sell them.
10. On March 18, 2024, ATF SA David Bryant concluded, based on his training and experience that the PMC Bronze ammunition was not manufactured in the State of Mississippi. Thus, it must have traveled in interstate or foreign commerce to be located within the State of Mississippi.
11. Cole has the following felony convictions:
 - a. Manufacture of Marijuana While in Possession of a Firearm, in Lauderdale Circuit Court, which occurred on August 22, 2011. This crime is punishable by a term exceeding one year. Cole was sentenced to five years in the custody of the Mississippi Department of Corrections (MDOC) with four years suspended and four years post-release supervision. Cole was aware of this felony conviction as he signed the Order Accepting Guilty Plea and Imposing Sentence form.

b. Sale of Cocaine, in Lauderdale Circuit Court, which occurred on January 30, 2013.

This crime is punishable by a term exceeding one year. Cole was sentenced to 30 years in MDOC custody with 25 years suspended and five years post-release supervision. Cole was aware of this felony conviction as he signed the Order Accepting Guilty Plea and Imposing Sentence form.


CONCLUSION

With this information in mind I, Special Agent Brent Young, request an arrest warrant be issued as to Mario Cole for violation of Title 18 U.S.C. Section 922(g)(1), Possession of Ammunition by a Convicted Felon.

Respectfully submitted,


Brent Young
Special Agent
Homeland Security Investigations

Sworn to and subscribed before me this 18th day of March 2024.


Honorable Andrew S. Harris
United States Magistrate Judge